

REMARKS

In the Office Action mailed April 27, 2005, the Examiner noted that claims 1-22 were pending, allowed claims 4-9 and 19-22, and rejected claims 1-3 and 10-18. Claims 1, 10, 12, 13 and 18 have been amended, new claim 23 has been added and, thus, in view of the foregoing claims 1-23 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

Claims 10-17 were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. This rejection is traversed and reconsideration is requested.

It is submitted that claim 10, as amended, meets the requirements of 35 U.S.C. § 112, first paragraph.

The Examiner did not articulate a reason for the rejection of dependent claims 11-17 under 35 U.S.C. § 112. Applicants assume claims 11-17 were rejected based upon their dependence on independent claim 10. It is submitted that claim 10 as amended meets the requirements of 35 U.S.C. § 112, first paragraph. Therefore it is submitted that claims 11-17 meet the requirements of 35 U.S.C. § 112, first paragraph.

Claims 12-17 were not rejected over the prior art. Therefore applicants assume claims 12-17 contain features which patentably distinguish over the prior art. Thus, in view of the foregoing, claims 12 and 13 have been rewritten in independent format. Therefore, applicants submit claims 12-17 are in condition for allowance.

Claims 1 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Klein et al., U.S. Patent Number 6,145,102, hereafter referred to as "Klein", in view of Yen, U.S. Patent Number 6,381,694, hereafter referred to as "Yen". This rejection is traversed and reconsideration is requested.

This rejection is respectfully traversed because neither Klein, Yen or any combination thereof teaches or suggests the feature of "a power supply, independent of said system power supply, for powering said trouble monitoring unit" as recited, for example, in amended claim 1. Support for the claim amendment can be found on page 20, line 22 to page 21, line 6, of the present specification.

The Examiner relied upon Klein for the relevant basis of the § 103(a) rejection. Klein discloses "[p]ower line 430 brings electrical power from computer power supply 154 to network subsystem 400. Network subsystem 400 is maintained powered up even when computer 100 fails, or when computer 100 is operated at reduced power. Accordingly, network

subsystem 400, through operation of network chip 402, **can transmit error messages onto network media 152 when all of computer 100 is non-functional except the power supply 154 which supplies power to power line 430**" (Klein, column 7, lines 57-65). Thus, Klein fails to teach or suggest "a power supply, independent of said system power supply, for powering said trouble monitoring unit" as recited in amended independent claim 1.

Amended independent claim 18 recites the feature of:

a trouble notification operation of acquiring log information, and notifying an external remote maintenance system of the log information through a network interface irrespective of the presence of power supply from said power supply controlled by said trouble monitoring step if a trouble of said start processing unit is detected in said trouble monitoring operation occurring during a period from a turn-on of a system power supply, through activation, to a start-up of the application

Therefore, Klein at least fails to teach or suggest the above recited feature of amended independent claim 18 for the same reasons as discussed above.

Therefore, the applicants respectfully request reconsideration of the rejection of claims 1 and 18 under 35 U.S.C. § 103(a) because Klein, Yen and any combination thereof, at least fails to teach or suggest the above-identified features.

Claims 2, 3, 10 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Klein, in view of Yen, in further view of page 1, line 20 through page 2, line 1 of the present specification.

Amended independent claim 10 recites "a power supply, which constantly supplies power independently of said system power supply, for powering said integrated management panel board". Therefore, applicants respectfully submit claim 10 patentably distinguishes over the prior art. Therefore, the applicants respectfully request reconsideration of the rejection of claim 10 under 35 U.S.C. § 103(a) because the prior art at least fails to teach or suggest the above-identified features.

Claims 2, 3 and 11 depend from one of independent claims 1 and 10 and contain all the features of that claim. Applicants respectfully submit that claims 1 and 10 patentably distinguish over the prior art for the reasons discussed above. Therefore, applicants respectfully requests reconsideration of claims 2, 3 and 11 under 35 U.S.C. § 103(a).

New claim 23 is added to set forth the invention with a varying scope. Claim 23 includes:

a server performing start-up processing comprising power on processing, diagnostic processing, boot-up processing and application start processing and storing a log of events during the start-up processing in a memory and stopping when start-up processing fails; and

a monitoring system monitoring the start-up processing, accessing the memory and sending a message, including the log, over the network indicating start-up processing failure while the server is stopped due to start-up processing failure.

The prior art does not teach or suggest the features of this claim. Therefore, it is submitted that Claim 23 patentably distinguishes over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112 and 103(a). It is also submitted that claims 4-9 and 19-22 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

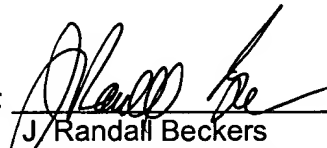
Respectfully submitted,

STAAS & HALSEY LLP

Date: _____

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By: _____


J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501